UTILITY PATENT APPLICATION TRANSMITTAL

(only for continuation and divisional applications under 37 CFR 1.53(b))

Prior Application Info: Examiner: M. Borin

Client-Matter No.: 66785-017

Group/Art Unit: 1631 Confirmation No.:6311

Address to:

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL" "EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 553 036 US DATE OF DEPOSIT: March 30, 2004 I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING

DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS ADDRESSED TO: MAIL STOP PATENT APPLICATION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450

indsan 4 (TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

This is a request for filing a X continuation __divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/523,790, filed March 13, 2000 (list only immediate prior application).

Title: SUBSTANCE P-SAPORIN (SP-SAP) CONJUGATES AND METHODS OF USE **THEREOF**

Inventor(s)(full name of each inventor): Douglas A. Lappi and Ronald G. Wiley

No abandonment of, or termination of proceedings, has occurred in the above-identified prior application.

- An application based on the prior application as filed and containing no new matter is enclosed, consisting of:
 - 1 page application cover sheet
 - 69 pages of specification (includes claims and abstract)
 - 12 sheets of drawing(s).
- 3 pages of a copy of the oath or declaration as originally filed on July 14, 2000, in prior application (37 CFR 1.63(d)), U.S. serial no. 09/523,790, filed March 13, 2000, is enclosed.
- 3. A signed statement DELETING inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b)) is attached.
- 4. <u>X</u> Nucleotide and/or Amino Acid Sequence Submission is enclosed: computer readable copy of sequence listing
 - X paper copy of sequence listing, pages 1 through 3
 - X Statement Under Statement Under 37 C.F.R. § 1.821(f) and (g)
 - X Request to Use Computer Readable Form of Sequence Listing From Another Application
 - __ Other:
- 5. Incorporation by Reference: The entire disclosure of the prior application, from <u>X</u> which a copy of the oath or declaration is supplied under item no. 2 of this form, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein.
- 6. Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior application.
- 7. A preliminary amendment is enclosed. X

Inventor(s): Lappi and Wiley

Serial No.: Unknown Filed: Herewith

Page 2

THE TELESCOPE ASSESSED FOR THE PROPERTY OF THE

8. Small entity state

- a. _ A small entity statement is enclosed.
- b. X A small entity statement was filed in prior application serial no. 09/523,790, and such status is still proper and desired.
- c. _ is no longer claimed.
- 9. The prior application is assigned of record to Advanced Targeting Systems, Inc.
- 10. The power of attorney in the prior application is to <u>Cathryn Campbell</u>.
- A copy of a change in power of attorney or authorization of agent as filed in the prior application (37 CFR 1.63(d)(4)) is enclosed.
- 12. X A return receipt postcard is enclosed.
- 13. _ A Patent Application Bibliographic Data Sheet is enclosed.
- 14. Request for Nonpublication and Certification is enclosed.
- A copy of the Petition for Extension of Time filed on __(date)____ in prior application serial number ____ is enclosed.
- 16. ___ Also enclosed:

The filing fee is calculated below:

					Rate			Fee	
	Number Filed		Number Extra		Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	12 - 20	=	0	X	\$9	\$18		\$0	\$
Indepen- dent Claims	1 - 3	=	0	х	\$43	\$86	=	\$0	\$
Multiple Dependent Claims Presented: Yes _X_ No				\$145	\$290		\$0	\$	
				BASIC I	EE	\$385.00	\$770		
				TOTAL F	EE	\$385.00	\$		

- Please charge my Deposit Account No. 502624 in the amount of \$385.00. A duplicate copy of this sheet is enclosed.
- 18. __ The filing fee is not enclosed. Do not charge our deposit account.
- The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

Inventor(s): Lappi and Wiley Serial No.: Unknown

San Diego, California 92122

USPTO CUSTOMER NO: 41552

Filed: Herewith

Page 3

Address all future communications to:

Cathryn Campbell McDERMOTT, WILL & EMERY 4370 La Jolla Village Drive, Suite 700 San Diego, California 92122 telephone: (858) 535-9001

facsimile: (858) 535-8949

Respectfully submitted,

March 30, 2004	CAA	age				
Date	Cathryn Campbell					
	Registration No. 31,815					
	Inventor(s)	X Attorney or agent of record				
	Assignee of complete interest	Filed under Sec. 1.34(a)				
McDERMOTT, WILL & EMERY						
4370 La Jolla Village Drive		•				
Suite 700						

Document: 3 pages of a copy of the oath or declaration as originally filed on July 14, 2000, in prior application (37 CFR 1.63(d)), U.S. serial no. 09/523,790, filed March 13, 2000.

Attorney Client-Matter No.: 66785-017

Serial No.: Unknown

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 553 036 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON MARCH 30, 2004.

Bv

Lindsay a. Carroll

Lindsay a. Carroll

Date of Signature: March 30, 2004

PATENT

Client Matter No.: 66785-017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Sir:	
In re application of: Lappi and Wiley) Confirmation No.: Unknown
Serial No.: Unknown	Art Unit No.: UnknownExaminer: Not Yet Assigned
Filed: Herewith For: SUBSTANCES P-SAPORIN (SP-SAP) CONJUGATES AND METHODS OF USE THEREOF	CERTIFICATE OF MAILING BY "EXPRESS MAIL" "EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 553 036 US DATE OF DEPOSIT: March 30, 2004 I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER
Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS ADDRESSED TO: MAIL STOP PATENT APPLICATION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 (TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE) (SIGNATURE OF PERSON MAILING PAPER OR FEE)

STATEMENT UNDER 37 C.F.R. § 1.821 (f) and (g)

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR § 1.821 (c) and (e), respectively, are the same. The paper copy submitted herewith is identical in content to the computer readable copy previously submitted in the prior application, U.S. Serial No. 09/523,790, filed on March 13, 2000.